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Attorneys for Defendant

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ALOHA SPORTS INC., a Hawaii)

corporation,)

Plaintiff,)

v.)

THE NATIONAL COLLEGIATE)

ATHLETIC ASSOCIATION, an)

unincorporated association,)

Defendant.)

DECLARATION OF ANGELA
E. GRANT IN SUPPORT OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT

1. I, ANGELA E. GRANT, hereby submit this Declaration in support of the NCAA's Motion for Summary Judgment. I am over the age of 18 and am competent to testify to the facts stated herein. All statements made herein are based upon my personal knowledge.

2. I am currently employed at the National Collegiate Athletic Association ("NCAA") as a paralegal in the general counsel's office, a position I have held since 2000. Prior to that, I was an assistant to the assistant general counsel at the NCAA.

3. As part of my duties with the NCAA, I am familiar with the NCAA's records and files maintained in the ordinary course of business. I am familiar with the methods of production, receipt and storage of documents employed by the NCAA and its committees and the methods and procedures it employs to maintain and preserve the integrity of its business records.

4. I am also familiar with the NCAA's library and archived materials including its manuals, handbooks, meeting minutes, and other publications such as brochures.

5. As a paralegal, one of my job responsibilities is to gather documents responsive to requests served on the NCAA during the course of discovery in various suits brought against the NCAA. I am likewise familiar with documents which have been searched for and produced in the above-captioned case.

6. In the course of my employment at the NCAA I have been involved in document production and fact assembly for this litigation. I am very familiar with NCAA record-keeping generally and have become, through the course of this case, familiar with documents we have amassed and produced from NCAA archives, websites, staff files, and the NCAA Library.

7. The exhibits attached to this declaration are true and correct copies of documents maintained by the NCAA as records of its activities, which were produced by the NCAA to Aloha Sports, Inc. during the course of discovery.

- Exhibit No. 45 is a true and accurate copy of relevant excerpts from the 2001-02 NCAA Division I Manual produced by the NCAA. The Manual contains the Constitution and officially adopted Bylaws of the NCAA. It is the standard reference tool for the members and staff of the NCAA to obtain the Constitution and legislation of the NCAA. The NCAA creates, disseminates and retains manuals in the ordinary course of business as a reference to the Association's current rules and regulations.
- Exhibit No. 46 is a true and accurate copy of relevant excerpts from the 2002-03 NCAA Division I Manual produced by the NCAA. The Manual contains the Constitution and officially adopted Bylaws of the NCAA. It is the standard reference tool for the members and staff of the NCAA to obtain the Constitution and legislation of the NCAA. The NCAA creates, disseminates

and retains manuals in the ordinary course of business as a reference to the Association's current rules and regulations.

- Exhibit No. 47 is a true and accurate copy of relevant excerpts from the 2003-04 NCAA Division I Manual produced by the NCAA. The Manual contains the Constitution and officially adopted Bylaws of the NCAA. It is the standard reference tool for the members and staff of the NCAA to obtain the Constitution and legislation of the NCAA. The NCAA creates, disseminates and retains manuals in the ordinary course of business as a reference to the Association's current rules and regulations.
- Exhibit No. 48 is a true and accurate copy of an excerpt from the 1985 NCAA Football Record Book of the win/loss record for the University of Hawaii for 1984 produced by the NCAA from the NCAA Library. The NCAA creates and retains football records books, based on information from a person or persons with knowledge of the subject matter, in the ordinary course of business as a record of each member institution's season record.
- Exhibit No. 49 is a true and accurate copy of an excerpt from the 1987 NCAA Football Record Book of the win/loss record for the University of Hawaii for 1986 produced by the NCAA from the NCAA Library. The NCAA creates and retains football records books, based on information from a person or

persons with knowledge of the subject matter, in the ordinary course of business as a record of each member institution's season record.

- Exhibit No. 50 is a true and accurate copy of an excerpt from the 1989 NCAA Football Record Book of the win/loss record for the University of Hawaii for 1988 produced by the NCAA from the NCAA Library. The NCAA creates and retains football records books, based on information from a person or persons with knowledge of the subject matter, in the ordinary course of business as a record of each member institution's season record.
- Exhibit No. 51 is a true and accurate copy of an excerpt from the 1991 NCAA Football Record Book of the win/loss record for the University of Hawaii for 1990 produced by the NCAA from the NCAA Library. The NCAA creates and retains football records books, based on information from a person or persons with knowledge of the subject matter, in the ordinary course of business as a record of each member institution's season record.
- Exhibit No. 52 is a true and accurate copy of a print-out from the NCAA's website of the history of the NCAA titled "It was the flying wedge, football's major offense in 1905, that spurred the formation of the NCAA" produced by the NCAA.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 23, 2006, at Indianapolis, IN.


Angela E. Grant